

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) NO. 2:19-CR-00013
)
) CHIEF JUDGE CRENSHAW
GEORGIANNA GIAMPIETRO)

GOVERNMENT'S UPDATED POSITION WITH RESPECT TO SENTENCING

COMES NOW the United States of America, by and through the undersigned Assistant United States Attorney, and respectfully submits that the government has no objections to the Guidelines calculations contained in the latest iteration of the Presentence Investigation Report prepared in this matter by the United States Probation Office on June 14, 2022. The government's position is supported by its prior response and corresponding attachments filed on May 9, 2022, regarding, in part, the Probation Office's proper application of sentencing enhancements under U.S.S.G. §§ 3C1.1 and 3A1.4. (D.E. 403.) Notably, with regard to the latest presentence report, the government disputes the accuracy of the factual claims alleged by the defendant in the offense conduct section of the report, as contrary to the record in this case. (*See PSR, ¶¶ 7-22.*) However, the defendant's claims have no impact on the findings of the Probation Office in calculating the appropriate advisory Guidelines range of 120 months, which remains unchanged from its original report. Similarly, the government's position remains the same.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2022, I electronically filed a copy of the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel for the defendant in this case.

/s/ Philip H. Wehby
PHILIP H. WEHBY
Assistant United States Attorney